

**Declaration for Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SECONDARY FLOW CONTROL SYSTEM**

the specification of which (check one)

- ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as United States Application Serial No. or  
PCT International Application No. \_\_\_\_\_ and was amended on  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): NONE

Number	Country	Day/Month/Year	Priority Claimed Yes/No
_____	_____	_____	_____

I hereby claim benefit under Title 35, United States Code, §119(e) of any United States provisional applications listed below: NONE

Provisional Application Number	Filing Date
____ / _____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE

Prior U.S. Applications:

Serial No.	Filing Date	Status (patented, pending, abandoned)
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Send all correspondence to:

**\*21918\***

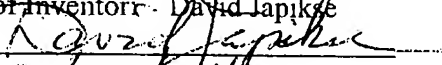
**21918**

PATENT TRADEMARK OFFICE


Direct Telephone Calls to:

Anthony P. Gangemi at (802) 863-2375

---

(1) Full Name of Inventor: David Japikse  
Signature:   
Date: 01/14/04  
Residence: 1238 Turnpike Road, Norwich, VT 05055  
Citizenship: U.S.  
Post Office  
Address: Same as residence address

---

(2) Full Name of Inventor: Daniel O. Baun  
Signature:   
Date: 01/14/04  
Residence: 660 Colonial Drive, White River Junction, VT 05001  
Citizenship: Canada  
Post Office  
Address: Same as residence address

---

BTV/230470.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: David Japikse et al.

Serial No.: Not yet assigned

Filed: Herewith

Title: Secondary Flow Control System

Examiner: Not yet assigned

Group No.: Not yet assigned

Attorney Docket No.: 05457-00083

**POWER OF ATTORNEY BY ASSIGNEE AND  
CERTIFICATION UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

As an officer of Concepts ETI, Inc., ("assignee"), a Vermont corporation, I hereby certify that to the best of assignee's knowledge and belief it is the assignee of the entire right, title and interest in and to the above-referenced patent application, and represent that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Assignee has reviewed the assignment document that evidences the placement of title in the assignee, a true and accurate copy which is attached hereto, and understands and believes that this assignment document will be or has been submitted for recordation in the U.S. Patent and Trademark Office.

Assignee hereby appoints on its behalf the following patent attorneys to prosecute the patent application identified above and to transact all business in the Patent Office connected therewith:

Lawrence H. Meier, Esq.  
DOWNS RACHLIN MARTIN PLLC  
USPTO Customer No. 21918

Pursuant to 37 C.F.R. § 3.71, the assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventors.

Send all correspondence relating to this matter to:

**Anthony P. Gangemi, Esq.**  
DOWNS RACHLIN MARTIN PLLC  
Customer No. 21918

Direct all telephone calls to Anthony P. Gangemi at **802-846-8362**.

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 14<sup>th</sup> day of January, 2004.

ASSIGNEE:

CONCEPTS ETI, INC.

By 

Name: David Japikse

Title: Chairman

Address: 217 Billings Farm Road  
White River Junction, VT 05001

BTV/240359.1